

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re: AH LIQUIDATION, INC., <i>et al.</i> , ¹ Debtors.	Chapter 11 Case No. 21-10883 (CTG) (Jointly Administered)
DRIVETRAIN LLC, in its capacity as LIQUIDATING TRUSTEE for the LIQUIDATING TRUST OF AH LIQUIDATION, INC., AH IP LIQUIDATION, INC., RM LIQUIDATION INC., BP LIQUIDATION, INC., and QAA LIQUIDATION, INC. , Plaintiff, v. DAVID FANN, PAUL COX, STEPHEN WOODY, HUMBERTO ANTUNES, and JOSEPH MCGUIRE, Defendants.	Adv. No. 22-50392 (CTG)

**CERTIFICATION OF COUNSEL REGARDING AGREED
ORDER APPOINTING MEDIATOR**

I, Howard A. Cohen, an attorney with Fox Rothschild LLP, as counsel to Drivetrain, LLC, in its capacity as liquidating trustee (the “Liquidating Trustee” or “Plaintiff”) for the Liquidating Trust² as successor in interest to the debtors, AH Liquidation, Inc. (f/k/a Avadim Health, Inc.), AH IP Liquidation, Inc. (f/k/a Avadim Health IP, Inc.), RM Liquidation, Inc. (f/k/a Relion

¹ The Debtors, along with the last four (4) digits of each Debtor’s federal tax identification number are: AH Liquidation, Inc. (8411); AH IP Liquidation, Inc. (7594); BP Liquidation Corp. (6483); QAA Liquidation, Inc. (5613); and RM Liquidation, Inc. (0430). A complete list of each of the Debtors in these Chapter 11 Cases may be obtained via the Bankruptcy Court at <https://ecf.deb.uscourts.gov/cgi-bin/login.pl> with a Public Access to Court Electronic Records (“PACER”) account, which may be obtained at <https://pacer.uscourts.gov>.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Combined Plan and Disclosure Statement (defined herein).

Manufacturing, Inc.), BP Liquidation Corp. (f/k/a Bionome Properties Corp), QAA Liquidation, Inc. (f/k/a Quality Assurance Associates, Inc.)³ (collectively, the “Plaintiffs”), hereby certify as follows:

1. In connection with the above-captioned adversary proceeding and the claims and causes of action asserted in connection therewith, Plaintiff and David Fann, Paul Cox, Stephen Woody and Joseph McGuire (collectively, the “Parties”), have agreed that the Honorable Judge Kevin J. Carey (Ret.) should serve as mediator. Subject to Court approval, Judge Carey has agreed to serve as mediator.

2. Attached hereto as **Exhibit A** is a proposed order (the “Proposed Order”) appointing Judge Carey as mediator.

3. The form of the attached Proposed Order has been reviewed and approved by counsel to each of the Parties and Judge Carey.

4. Wherefore, the Liquidating Trustee respectfully requests that the Court enter the Proposed Order, attached hereto as **Exhibit A**, and grant such other and further relief that the Court deems just and proper.

Dated: January 10, 2023

FOX ROTHSCHILD LLP

/s/ Howard A. Cohen

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-and-

³ See D.I. 283 reflecting the change of name for each of the Debtors following the sale of certain assets pursuant to a Stalking Horse APA approved at D.I. 239.

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